

### REMARKS/ARGUMENTS

In accordance with the the Examiner's remarks, the inventors have removed the indefinite terms, 'such as' (claims 1-3 and 11), "is useful" (claims 12-14), "but not limited to" (claim 3), "may be" (claim 7)

Regarding the rejection of claims 1, 3-9, 11 and 13 being rejected on the basis of anticipation by Saettone et al patent 6,346,273, the inventors beg to submit the following argument. The maximum solubilization achieved by Saettone et al is 0.20% of forskolin (please see the TABLE in column 8 of the referred patent). Also this solubilization data of Saettone is not achieved with any cyclodextrin. Moreover any useful solubilization of forskolin for ophthalmic and other uses must be a minimum of 1%. Such a solubilization was not achieved by Saettone et al limiting any application for ophthalmic uses. The present inventors have achieved a remarkable up to 5% aqueous solubilization through the inventive use of cyclodextrin derivatives. Hence the inventors request reconsideration of the said claims 1, 3-9, 11 and 13

Regarding the rejection of claims 2, 12 and 14 being "rejected under 35 U. S. C. 103(a) as being unpatentable over Saettone et al in view of Majeed et al patent 5, 804, 596", the inventors beg to submit that claims in the context of the patent application refer to the aqueous solutions of forskolin and are thus novel.

Regarding claim 10 being "rejected under U.S.C. 103(a) as being unpatentable over Saettone et al in view of Spence et al patent 6,540,895", the inventors beg to submit that their invention of aqueous solubilization of forskolin by cyclodextrin derivatives to an useful concentration of above 1% was not known or achieved earlier and represents an unanticipated result. In fact, maximum aqueous solubilization of forskolin reported is only 0.20% (Saettone et al. US Patent No. 6,346,273).

In summary, the inventors submit that they have, through the novel use of cyclodextrin derivatives, achieved aqueous solubilization of forskolin and related diterpenes upto 5%. The maximum solubility of Forskolin by Saettone et al patent 6,346,273 is only 0.20% far below the useful limit of 1%. Hence the high degree of aqueous solubilization of forskolin upto 5% disclosed in the present patent application is novel and represents a very useful invention for the applications and uses claimed in the present patent application.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.



Respectfully submitted,

SABINSA CORPORATION

By N N M M M M  
Kalyanam Nagabhushaham, PhD  
President, R &D  
(732) 777 1111

**Certificate of Mailing by "Express Mail"**

"Express Mail" mailing label number ED 344336911 US

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service in an envelope addressed to the Commissioner for Patents,

P.O. Box 1450, Alexandria, Virginia 22313-1450,

on March 2, 2005.

Date

N N M M M M  
Signature of person mailing correspondence

Dr. Kalyanam N.  
Typed or printed name of person mailing correspondence